



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF )

JEFFREY A. HERMAN et al. )

Serial No. 09/848,951 )

Filed: May 3, 2001 )

For: METHOD AND APPARATUS FOR  
ANALYZING DATA )

) Examiner: Unassigned

) Group Art Unit: 2131

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please consider the following amendments and remarks.

Applicant hereby submits the attached claim pages 18 - 24 as replacement to claim page 18 of the original application as required under 37 CFR 1.121(c)(1)(i). Applicant further submits a marked-up copy of said claim pages as required under 37 CFR 1.121(c)(1)(ii).



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
HERMAN et al. ) Attorney Docket No.: SUNMP055C2  
Application No.: 09/848,951 ) Examiner: Kendall, Chuck O.  
Filed: May 3, 2001 ) Group Art Unit: 2122  
For: METHOD AND APPARATUS FOR ANALYZING ) Date: May 3, 2004  
DATA )

Duplicate for  
fee processing

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as First Class Mail to: Commissioner  
for Patents, Alexandria, VA 22313-1450 on May 3, 2004.

Signed:   
Sylvia Castillo

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MAY 07 2004

Transmitted herewith is an Amendment in the above-identified application. Technology Center 2100  
The fee has been calculated as shown below.

	Claims <u>Remaining After Amendment</u>	Highest <u>Previously Paid For</u>	Present <u>Extra</u>	SMALL ENTITY <u>RATE FEE</u>	OR	LARGE ENTITY <u>RATE FEE</u>
TOTAL CLAIMS	27	-	27	0	X09 = \$	OR X18 = \$
INDEP CLAIMS	03	-	03	0	X43 = \$	OR X86 = \$
[ ] Multiple Dependent Claim Present and Fee Not Previously Paid				\$145		\$290
				TOTAL \$		\$0

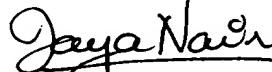
Applicant(s) hereby petition for a \_\_\_\_\_ month(s) extension of time to respond to the outstanding Office Action.

Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805.

Enclosed is our Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the additional claim fee and/or extension of time fees.

If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP055C2). A copy of this sheet is enclosed.

Respectfully submitted,  
MARTINE & PENILLA, LLP



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Customer Number 32291



Approved for use through 10/31/2002. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 126.00)

Complete if known

Application Number	09/848,951
Filing Date	May 3, 2001
First Named Inventor	JEFFREY A. HERMAN
Examiner Name	UNASSIGNED
Group Art Unit	2131
Attorney Docket No.	83000.946C2/P2867C2

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MAY 07 2004

Technology Center 2100

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 126.00)

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
27	-20** = 7		X 18.00	= 126.00	
3	-3** = ---		X ---	= ---	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 126.00)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ---)

## SUBMITTED BY

Name (Print/Type)	Cynthia A. Casby	Registration No. (Attorney/Agent)	47,475	Telephone	(310) 286-0377
Signature				Date	January 3, 2002

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